IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Criminal Revision No.2090 of 2006
Date of Decision: October 13, 2006

Devinder Kumar Sood.

.....PETITIONER(S)

VERSUS

State of Punjab & Another.

.....RESPONDENT(S)

. . .

CORAM:- HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT:- Mr. R.S. Bains, Advocate, for the petitioner.

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AJAI LAMBA, J. (Oral)

This is a criminal revision petition filed by the complainant. Learned counsel for the petitioner has argued that the accused should have also been charged under Section 406 IPC. It is pleaded that the very fact that the wife and the child were thrown out of the house inheres demand of dowry under Section 406 IPC and there is no legal requirement of making a demand for the dowry articles.

The other argument raised is that Santosh Sood and Seema Sood are alleged to have given beatings and therefore, they should have been charged under Section 498-A IPC.

I have gone through impugned order dated 25.8.2006.

The order is a considered one. It has been recorded in Para 3 that the complaint when read in entirety is totally silent about demanding back the articles which is a sine qua non for forming basis of framing of charge under Section 406 IPC. So far as Santosh Sood is concerned, she has been directed to be charged alongwith Sanjay Sood under Section 498-A IPC as there were specific allegations of torturing Manju Sood (wife) against Santosh Sood and Sanjay Sood. The wives of the brothers or other accused have been left out.

I do not find any illegality or impropriety in the order passed by the Revisional Court.

The petition is accordingly dismissed.

(AJAI LAMBA)
JUDGE

OCTOBER 13, 2006
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